

4 AUG 2005

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE


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#3

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER HT3930USPCT	
INTERNATIONAL APPLICATION NO. PCT/IB03/03701		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/524,310	
INTERNATIONAL FILING DATE 03 September 2003 (03.09.03)		PRIORITY DATE CLAIMED 12 September 2002 (12.09.02)	
TITLE OF INVENTION FABRIC FOR PROTECTIVE GARMENTS			
APPLICANT(S) FOR DO/EO/US BADER, Yves Et. Al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.			
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.			
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5) (6), (9) and (21) indicated below.			
4. <input type="checkbox"/> The US has been elected (Article 31).			
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 			
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 			
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 			
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
Items 11 to 20 below concern document(s) or information included:			
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input type="checkbox"/> A preliminary amendment.			
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.			
15. <input type="checkbox"/> A substitute specification.			
16. <input type="checkbox"/> A power of attorney and/or change of address letter.			
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825 DA			
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).			
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).			
20. <input checked="" type="checkbox"/> Other items or information: <i>EXPRESS LABEL EV 534170134US • Response to Notice/Missing Requirements</i> <i>• Del. P.O.A. Attached to Transmittal Letter sent on 2/7/05</i>			

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/524,310		INTERNATIONAL APPLICATION NO. PCT/IB03/03701		ATTORNEY'S DOCKET NUMBER HT3930USPCT		
The following fees have been submitted				CALCULATIONS	PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee..... \$300				\$ 0.00		
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 <input type="radio"/> All other situations..... \$200 <input type="radio"/>				\$ 0.00		
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 <input type="radio"/> International Search Report prepared and provided to the Office..... \$400 <input type="radio"/> All other situations..... \$500 <input type="radio"/>				\$ 0.00		
TOTAL OF 21, 22 and 23 =				\$ 0.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE			
- 100 =	/50 =		x \$250	\$ 0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). <input type="checkbox"/>				\$ 0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	- 20 =		x \$ 50	\$ 0.00		
Independent claims	- 3 =		x \$ 200	\$ 0.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable) YES <input type="checkbox"/>			+ \$360	\$ 0.00		
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				0.00		
SUBTOTAL =				\$ 0.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). <input type="checkbox"/>				\$ 0.00		
TOTAL NATIONAL FEE =				\$ 0.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property <input type="checkbox"/>				\$ 0.00		
TOTAL FEES ENCLOSED =				\$ 0.00		
				Amount to be refunded:	\$	
				Amount to be charged:	\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 04-1928 in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1928 . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO:						
<div style="border: 1px solid black; padding: 5px;"> GRIFFITHS, John E. E. I. DU PONT DE NEMOURS AND COMPANY Legal Patent Records Center 4417 Lancaster Pike Wilmington, Delaware 19805 United States of America </div>						
				 SIGNATURE		
				NAME		
				32,647		
				REGISTRATION NUMBER		

Rec'd PCT/PTO

4 AUG 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:
YVES BADER, ET AL

CASE NO.: HT3930 US PCT

APPLICATION NO.: 10/524,310

GROUP ART UNIT: UNKNOWN

FILED: FEBRUARY 7, 2005

EXAMINER: UNKNOWN

FOR: FABRIC FOR PROTECTIVE GARMENTS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Mail Stop PCT

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed July 20, 2005 (a copy of which is attached), enclosed is the signed a copy of the Declaration and Power of Attorney and Transmittal Letter PTO1390 mailed February 7, 2005 (Express Mail Label. EV572359057 US).

Respectfully submitted,



JOHN E. GRIFFITHS
AGENT FOR APPLICANTS
Registration No.: 32,647
Telephone: (302) 892-7909
Facsimile: (302) 992-4773

AUGUST 2, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/524,310	FIRST NAMED APPLICANT Yves Bader	ATTY. DOCKET NO. HT3930USPCT
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✓ John E Griffiths
E I Du Pont De Nemours and Company
Legal Patent Records Center
4417 Lancaster Pike
Wilmington, DE 19805

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JUL 26 2005
PATENT RECORDS
CENTER

INTERNATIONAL APPLICATION NO. PCT/IB03/03701	
LA. FILING DATE 09/03/2003	PRIORITY DATE 09/12/2002

CONFIRMATION NO. 6435
371 FORMALITIES LETTER

OC000000016556267

Date Mailed: 07/20/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/07/2005
- Copy of Annexes to the IPER filed on 02/07/2005
- Preliminary Amendments filed on 02/07/2005
- Request for Immediate Examination filed on 02/07/2005
- U.S. Basic National Fees filed on 02/07/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

-
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,310	PCT/IB03/03701	HT3930USPCT

FORM PCT/DO/EO/905 (371 Formalities Notice)